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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) Case No. 17-CV-00040-BLF
12 Petitioner,) ~~Proposed~~ ORDER TO SHOW CAUSE RE:
13 v.) ISSUANCE OF A BENCH WARRANT
14 JOSE HERNANDEZ,)
15 Respondent.)
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17 Good cause having been shown by the United States upon its Application for Entry of Order to
18 Show Cause Re: Issuance of a Bench Warrant, and the Declaration of Thomas Moore, it is hereby

19 ORDERED that the Respondent appear in person before this Court on the 21th day of
20 June, 2018, at 9 a.m., in Courtroom No. 1, 5th Floor, United States Courthouse, 280 South First Street,
21 San Jose, California, and then and there show cause, if any he has, why a bench warrant should not be
22 issued for his arrest for failure to comply with the IRS summonses as enforced by the Order Requiring
23 Respondent to Appear Before Revenue Officer to Give Testimony and Provide Items Described in
24 Summonses, ECF No. 16; and it is further

25 ORDERED that the United States is ordered to personally serve the Respondent Jose Hernandez
26 a copy of this order to show cause within seven (7) days of this order; and it is further

27 ORDERED that within seven (7) days before the return date of this Order, the Respondent may
28 file and serve a written response to the Order To Show Cause Re: Issuance of a Bench Warrant,

1 supported by appropriate affidavit(s) or declaration(s) in conformance with 28 U.S.C. § 1746, as well as
2 any motions he desires to make; that the Petitioner may file and serve a written reply to such
3 response, if any, within three (3) days before the return date of this Order; that all motions and issues
4 raised by the pleadings will be considered on the return date of this Order, and only those issues raised
5 by motion or brought into controversy by the responsive pleadings and supported by affidavit(s) or
6 declaration(s) will be considered at the return of this Order.

7 ORDERED this 13th day of August, 2018, at San Jose, California.

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10 UNITED STATES DISTRICT JUDGE